

**Wai'ola O Molokai
Molokai Public Utilities Inc
Mosco Inc
745 Fort St #600
Honolulu, HI 96813**

July 10, 2008

The Honorable Chairman and Members of the
Hawaii Public Utilities Commission
465 South King Street
Kekuanaoa Building, Room 103
Honolulu, HI 96813
Attention: Stacey Kawasaki Djou, Esq.
Ms. Karen Higashi

FILED
2008 JUL 10 P 4:01
PUBLIC UTILITIES
COMMISSION

RE: Docket No. 2008-0115, In the Matter of Molokai Public Utilities, Inc., Waiola O Moloka'I, Inc., and Mosco, Inc. – County of Maui's Request for Issuance of Subpoenae and Subpoenae Duces Tecum.

Dear Chair Caliboso;

We are in receipt of the County of Maui's Request for Issuance of Subpoenae and Subpoenae Duces Tecum. We would like to take this opportunity to object to the Request for a number of reasons.

First and foremost, it needs to be pointed out that despite the Commissioners' admonitions' that this type of request was inappropriate and impractical for the July 15th hearing, the County chose to ignore the Commission and made the request anyway.

With regard to myself, as I explained to Ms Djou today, it is not possible for me to travel to attend the hearing because of my health. With regard to the others, Mr. Sabas and Mr., Ikeda and Mr. Sugiyama are no longer employees of the company and, as will be explained under separate cover, Mr. Orodener is not an employee of the Utilities.

Also, as set forth at the pre-hearing conference, MPL does not have the staff or the financial resources to respond to this type of request on short notice. Attempting to do so would either jeopardize the continued operation of the Utilities or require an expenditure that would result in the shortening of the timeframe for the cessation of operations.

From a substantive standpoint, the Subpoenae are overly broad and burdensome. Financial information on Molokai Properties Limited is beyond the scope of this proceeding and proprietary. It will not be released.

Much of the information requested is completely irrelevant to a rate case and is well outside the scope of the issue at hand. The financial requirements to operate the Utilities is all that is before the PUC and any information sought should be relevant to that.

All of the information necessary for the PUC to make a decision on the rate issue has been provided voluntarily. The rest of the information requested includes excessive amounts of material on either the physical structure of facilities, financial information that has no bearing on the operation of the Utilities, information that only concerns the entitlements of the Utilities, proprietary and non proprietary corporate information or information that is readily available from public sources.

Given the extent and nature of the information requested and the time frame involved we must object to the issuance of any subpoena at this time.

Very Truly Yours;

A handwritten signature in black ink, appearing to read 'Peter A. Nicholas', with a stylized, cursive script.

Peter A. Nicholas
Director

cc: Brian T. Moto & Jane E. Lovell
Department of Corporation Counsel, County of Maui
Katherine P Awakuni, Executive Director
DCCA, Division of Consumer Advocacy